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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q69102

Tsutomu KOJIMA, et al.

Appln. No.: 10/089,215

Group Art Unit: 1615

Confirmation No.: 4970

Examiner: Not Yet Assigned

Filed: March 26, 2002

For: PYRIMIDINE COMPOUNDS, PROCESSES FOR THE PREPARATION THEREOF  
AND PHARMACEUTICAL COMPOSITIONS COMPRISING THE COMPOUNDS AS  
ACTIVE INGREDIENT

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/089,215

request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



Mark Boland  
Registration No. 32,197

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Date: December 20, 2002

Substitute for Form 1-149 A & B/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/089,215
				Confirmation Number	4970
				Filing Date	March 26, 2002
				First Named Inventor	Tsutomu KOJIMA
				Art Unit	1615
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Supplemental European Search Report dated November 27, 2002	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.



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**STATEMENT UNDER 37 CFR § 1.704(d)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making a reasonable inquiry, that the communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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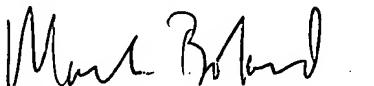
**SUBMISSION OF ENGLISH TRANSLATION OF  
INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Attached please find a copy of an English Translation of the International Preliminary Examination Report received from the Applicants, to advance prosecution in the event such is not readily available from the International Bureau. Claims 1-22 of the PCT application were found to be novel, involve an inventive step and include industrial applicability.

Respectfully submitted,



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